

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Cheryl Rak,

Plaintiff,

v.

Case No. 12-13801

Saxon Mortgage Services, Inc., et. al.,

Honorable Sean F. Cox
Magistrate Judge David R. Grand

Defendants.

ORDER
ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

This is a mortgage loan modification case. Plaintiff Cheryl Rak alleged that Defendant Ocwen Loan Servicing, LLC violated the Real Estate Settlement Procedures Act (“RESPA”), 12 U.S.C. § 2601 *et. seq.*, by failing to make corrections to Plaintiff’s mortgage account and by failing to provide Plaintiff with required disclosures. (Compl. ¶¶ 46-50).

On August 16, 2013, Defendant Ocwen Loan Servicing filed a Motion for Judgment on the Pleadings and, Alternatively, For Summary Judgment. (Doc. #27). This Court referred the motion to Magistrate Judge David R. Grand for Report and Recommendation. (Doc. #32).

Some time thereafter, Plaintiff dismissed her claims against Defendant Ocwen Loan Servicing, LLC. (Doc. #42). In a Report and Recommendation (“R&R”) issued on January 17, 2014, Magistrate Judge Grand recommends that this Court dismiss as moot Defendant Ocwen’s Motion for Judgment on the Pleadings. (R&R, 1/17/14, Doc. #47). No party has filed an objection to the January 17, 2014 R&R.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a

matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. Furthermore, the Court agrees with the Magistrate Judge’s recommendation. Therefore, the Court hereby ADOPTS the January 17, 2014 R&R. IT IS ORDERED that Defendant Ocwen Loan Servicing, LLC’s Motion for Judgment on the Pleadings (Doc. #27) is DENIED as moot.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: February 25, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 25, 2014, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager